GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Allegation of misconduct against Sri Y.B.Bhaskar Rao, D.C.(i/c), Eluru(formerly P&ES, Vijayawada) – Disciplinary proceedings initiated under rule 20 of CCA Rules, 1991 – Articles of charge framed against him – Written statement defence – submitted – Accepted - Further action dropped - Orders – Issued.

REVENUE (VIG.IV) DEPARTMENT

G.O.MS.No. 182 **Dated: 29-04-2016**

Read the following:-

1)From CPE, A.P. Letter Cr.No.9078/2013/CPE/SR-I, dt. 18-11-2014.
2) Orders of Hon'ble Lokayukta in Complaint No 4524/2013/B1 dated 19.11.2014
3) G.O.Rt.No.550, Revenue (Vig.V) Dept. dt. 16-6-2015
4)From Sri Y.B.Bhaskar Rao, D.C.(I/c) W.S.D. dt. 6-1-2016 & 06.04.2016.
5) Govt. Memo No 33916/Vig.IV.2/2014 dated 24.02.2016.
6)From C.P.E. A.P. Letter Cr.No.9078/2013/CPE/SR-I, dt. 21-4-2016

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ORDER:

In the reference 1st read above, the Commissioner of Prohibition and Excise, A.P., Hyderabad has reported that Sri Y.B.Bhaskara Rao, former P&E Supdt., has committed certain irregularities in issuing the licences during the period he worked as P&ES Vijayawada and requested to take necessary action in the matter.

2. In the reference 2nd read above, Hon'ble Lokayukta has issued orders that directing the Government to take appropriate disciplinary action against Sri Y.B. Bhaskara Rao and see that the disciplinary enquiry against him is completed by affording opportunity to him within a period of six months from the date of receipt of the copy of this orders.

3. Govt. after careful examining the reports of Commissioner of Prohibition and Excise, A.P., Hyderabad and orders of Hon'ble Lokayukta have have framed charges against Sri Y.B.Bhaskara Rao, formerly P&E Supdt. Vijayawada and directed to submit his written explanation if any in the reference 3rd read above.

4. In the reference 4th read above, Sri Y.B.Bhaskara Rao, P&E Supdt. has submitted written statement of defence to the Government stating that the complainant Sri M. Haribaba Rao worked under him as SHO, Manugur of Kothagudem Excise Unit, Khammam District for which he was the Prohibition & Excise Superintendent. He has further stated that, the complainant is a known petition monger and blackmailer and bore grudge against him for being pulled up for his nefarious activities. Further, he has stated that, the DC, Vijayawada failed to summon either the petitioner or the licensees or the allegedly included partners for the purpose of enquiry. The DC was lead away by a specifically coined Rule 33 of the complainant and conducted the enquiry in a slipshod manner. He also has submitted that, the duty of Tender Confirmation Register was entrusted to Sri D. Suryanarayana, P&ESI, Nuziveedu, N.V. Ramana, Sr.Assistant, O/o. AC (Efnt.,), Vijayawada and Sri J. Rambabu, Jr. Assistant, O/o. P & ES, Vijayawada. Further, the duty relating to Register showing the particulars of payment of 1/6th lease amount was entrusted to Sri M. Venkateshwara Rao, P&ESI, Vissannapeta, Sri P.V.V.N. Umamaheshwara Rao, Jr. Assistant and Sri G.Salmon Raju, Jr. Assistant. The charged officer has further categorically stated that, the words *"and others"* were added by the tenderers themselves and not by himself. Further, the counter-part agreements, bank guarantees and A4 licenses issued in all the above cases contained the specific names and signatures of all the tenderers in respect of the shop. He has also stated that *"and others"* are the common words used even by the Courts.

(P.T.O)

5. He has also stated that, the tenderers jointly submitted the tenders, obtained the leases of the shops jointly, and obtained licenses jointly. Therefore, they shall not be treated as partners included and shall be treated as joint applicants, joint tenderers, joint leaseholders and joint licensees authorized to conduct business. Finally he has stated that he has not violated rules and requested to drop the charge framed against him.

6. In the reference 5th read above, Government while sending the written statement of defense of Sri Y.B. Bhaskara Rao formerly P&ES Vijayawada have requested the Commissioner of Prohibition and Excise, A.P., Hyderabad to inquiry and submit his specific remarks in the matter.

7. In the reference 6th read above, the CPE, A.P. has reported that in all the cases in question, no partner was included after the issuance of license and all the joint licensees of A4 shops in question submitted counter-part agreements as required under rule 22 jointly and obtained licenses and when there is no inclusion of a partner in the business, the provisions under rule 33 stipulating payment of fee do not apply.

8. Government after examining the explanation of the C.O. Sri Y.B.Bhaskar Rao keeping view of the report submitted by the CPE, A.P. . have observed that in an informal enquiry, it is learnt that the general practice is the same in all the Districts. Application acceptance is done at a lower level. Therefore Govt. have decided to accept the explanation of Sri Y.Bhaskara Rao, formerly P&ES Vijayawada and drop further action against him.

9. Accordingly, Government hereby order to accept the explanation of Sri Y.Bhaskara Rao, formerly P&ES Vijayawada and drop further action against him

10. The Commissioner of Prohibition and Excise, A.P., Hyderabad is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Y.B.Bhaskara Rao, formerly P&ES Vijayawada
presently working as D.C. P&E (i/c), Eluru (through CPE, A.P. Hyderabad)

The Commissioner of Prohibition and Excise, A.P., Hyderabad.
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// FORWARDED BY ORDER //

SECTION OFFICER